

# OREGON TRANSPORTATION COMMISSION

## Minutes of the Regular Monthly Meeting and Annual Workshop October 10 and 11, 2006 Prineville

On Tuesday, October 10, at 7:30 a.m., the Oregon Transportation Commission (OTC), and Oregon Department of Transportation (ODOT) staff held a briefing session and reviewed the OTC agenda at the Brothers' Family Diner and Banquet Facility in Prineville. The regular monthly meeting and workshop followed at the same location, as well as an OTC/ODOT staff dinner that evening. An OTC/ODOT staff breakfast was held the morning of October 11 in the same facility.

Notice of these meetings was made by press release of local and statewide media circulation throughout the state. Those attending part or all of the meetings included:

Chair Stuart Foster	Driver & Motor Vehicles Admin. Lorna Youngs
Commissioner Gail Achterman	Motor Carrier Trans. Admin. Gregg Dal Ponte
Commissioner Randy Papé	Rail Administrator Kelly Taylor
Commissioner Mike Nelson	Interim Public Transit Admin. Troy Costales
Commissioner Janice Wilson	Chief Engineer/Tech. Serv. Mgr. Cathy Nelson
Director Matthew L. Garrett	Region 1 Manager Jason Tell
Chief of Staff Joan Plank	Region 2 Manager Jeff Scheick
Deputy Director, Highway, Doug Tindall	Region 3 Manager Paul Mather
Deputy Director, Central Services, Mike Marsh	Region 4 Manager Bob Bryant
Communications Administrator Patrick Cooney	Region 5 Manager Monte Grove
Trans. Development Admin. Craig Greenleaf	Commission Secretary Kim Jordan



**Tuesday, October 10, 2006**

Chair Foster called the regular monthly meeting to order at 9:45 a.m.



Director's Report highlights:

- On September 25, 2006, Director Garrett attended the Transportation Safety Conference in Redmond. Director Garrett provided welcoming remarks and participated in a panel discussion focused on safety and SAFETEA-LU (Safe, Accountable, Flexible, Efficient, Transportation Equity Act – Legacy for Users). Troy Costales led the overall effort; it was a productive day.
- A second effort in Redmond was the acknowledgment of Clackamas County as a strong safety partner. It is the first agency in the nation to use the following-too-close laser technology. Steve Vitolo, ODOT Transportation Safety Division, and

Sergeant Jon Nacarrato, Clackamas County Sheriff's Traffic Unit, were recognized at the Transportation Safety Conference for their leadership.

- The annual AASHTO (American Association of State Highway and Transportation Officials) conference, October 26 through 30 in Portland, is fast approaching. Department leadership from Patrick Cooney to various employees throughout the organization has been outstanding. Director Garrett expressed his appreciation for the team effort. Over 800 delegates are expected to attend from around the country; with 81 ODOT employees as volunteers.
- Director Garrett had the opportunity to speak to the League of Oregon Cities (LOC) Board of Directors at its annual conference, September 27 – 29, in Portland. As a business partner, Director Garrett reinforced the message that transportation is a good investment at the state and local level; ODOT is delivering on the investments that have played themselves out since 2001 and beyond; and desires to continue to implement that position for future conversations. He also met with other state agency directors to engage with city delegates who wanted to share compliments, concerns, or critiques in the way ODOT conducts business.
- He listened in on a session hosted by the Oregon Metropolitan Planning Organization (MPO) Consortium at its Fall 2006 Summit in Bend. Interesting conversation by the MPO's – they spoke about structural relationships – are the MPOs maximizing their opportunities and specifically, their relationships with the ACTs?
- Director Garrett's closing comments focused on an ODOT employee performing an extraordinary act. On June 22, Incident Responder David Moyer saved the life of a premature infant. David was on his way to respond to a transportation incident. Knowing there were highway traffic constraints, he traveled by local streets and cut through a neighborhood just in time to see a mother running from her home in hysteria holding her baby in her arms. David stopped and got out of his truck just in time for the mother to drop the baby into his arms. Seeing the baby was not breathing and blue, David launched into immediate action, putting his CPR skills to work.

When crews from Bend Fire and Rescue arrived on the scene, they found David holding the baby, who was pink, warm and breathing normally. It all happened so fast, David was back in his rig and heading off before what he had really done struck him. To anyone who knows David, none of this would come as a surprise. As an incident responder for District 10, this is how David operates every day. The Bend Fire Department has recommended David for one of its awards. Mr. Moyer received a standing ovation as photos were taken of him with Director Garrett and Chair Foster.



Commission member reports included the following information:

Commissioner Achterman apologized for missing last month's meeting due to flight problems in Bozeman, Montana. She reported having breakfast with Linda Modrell, Benton County Commissioner, talking about issues related to the ACTs (Area Commissions on Transportation) and Mid-Willamette Valley transportation issues. Commissioner Achterman has also been communicating with a number of different people about a Highway 20 safety project, west of Sisters, and concerns about the impact that project may have on the corridor's scenic quality.

Commissioner Papé acknowledged the excellent bond rating the department received, noting it was a great accomplishment for the State of Oregon. (A triple A rating was received from Standard and Poor's – the first in 27 years.)

Commissioner Nelson briefly noted his involvement in the Transportation Enhancement Program, which is currently in its project review stage.

Commissioner Wilson noted she had just returned from New Mexico and Colorado and did not have a report.

Chair Foster commented it was unfortunate that Commissioner Achterman missed the September meeting, when the Oregon Transportation Plan was formally adopted. That action represented the culmination of two years of work on the plan. Chair Foster advised it was through Commissioner Achterman's hard work and leadership that an outstanding product was delivered to the OTC. Chair Foster reported that Commissioner Achterman, as well as staff, received a standing ovation at the September meeting, evidence of how much everyone appreciated Commissioner Achterman and ODOT staff's work.

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No public comments were received.

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The Commission considered approval of the Southeast Area Commission on Transportation (SEACT) Charter and Biennial Report. (*Background material in General Files, Salem.*)

SEACT Chair Judge Steve Grasty, SEACT Staff Sondra Lino, and ODOT Area Manager Rena Cusma presented information on the Biennial Report and Charter. The Biennial Report describes SEACT's procedures and accomplishments over the last two years and demonstrates how it meets the OTC's "Policy on the Formation and Operation of Area Commissions on Transportation" and the Highway Division Directive that implements the policy.

Judge Grasty shared the following comments about SEACT: he thought the process was incredible; one downside of its large geographic area is that public involvement is limited; he constantly hears the ACT is addressing the right things; it is working with ODOT earlier in the process; the process speaks well of how ACTS inter-relate with other areas of the state; and he admires the leadership of the OTC. In closing, he commented that working with Ms. Cusma and ODOT staff has been a great experience.

Commissioner Nelson moved to approve the Southeast Area Commission on Transportation Biennial Report and to renew the Charter. The motion passed unanimously.

The Commission acknowledged its appreciation for the dedication and hard work undertaken by the SEACT members, and specifically those of Judge Grasty and his involvement in the *ConnectOregon* process.



The Commission considered approval of the North East Area Commission on Transportation (NEACT) Charter and Biennial Report. (*Background material in General Files, Salem.*)

NEACT Chair Judge Terry Tallman and ODOT Area Manager Frank Reading presented information on the Biennial Report and Charter. The biennial report describes NEACT's procedures and accomplishments over the last two years and demonstrates how it meets the OTC's "Policy on the Formation and Operation of Area Commissions on Transportation" and the Highway Division Directive that implements the policy.

Judge Tallman commented how much Judge Grasty's efforts were appreciated with regard to the *ConnectOregon* process, and that the OTC should take great satisfaction in what was accomplished.

Judge Tallman shared the following comments about the NEACT: he believes the ACTs provide a great service to the State of Oregon; their ACT meetings are well attended; ODOT staff is terrific; and he believes the great communication between ODOT and NEACT is one reason their ACT works so well.

Commissioner Nelson moved to approve the North East Area Commission on Transportation's Biennial Report and renew the Charter. The motion passed unanimously.

The Commission reported the ACT concept has come up at recent conferences; people are very interested in how it works. The Commission suggested that we take advantage of the University Transportation Center and the Annual AASHTO conference to build on lessons learned about a new way of governing transportation systems, and to document, publicize, and share them with others to get additional recognition for the incredible service that local governmental officials and local citizens provide. In closing,

the Commission again recognized how critical the ACT process is in making tough decisions, offered its appreciation to all NEACT members for their participation and involvement in the process. It was noted that the successful *ConnectOregon* Program was due, in large part, to the ACT system in place.



Doug Tindall and Tom Lauer, Statewide Project Deliver Manager, presented the monthly status report on the Statewide Transportation Improvement Program, Oregon Transportation Investment Act of 2001, 2002 and 2003, and the OTIA III State Bridge Delivery Program. (*Background material in General Files, Salem.*)

Mr. Lauer noted it was a quiet month, with no significant changes in the program. It is expected to pick up again in the spring. While not much change is anticipated in the financial status or the projects going to bid, the program is in its design peak. Currently, billings for design across the entire program are about \$4 million per month. That peak is expected to remain through summer 2007, when it will drop to about \$2 million per month for a couple of years.

Mr. Lauer reported the Columbia River Gorge public involvement process was about to come full circle. The OTIA III Bridge Program, Region 1 and 4, Technical Services Branch and Planning groups have spent approximately one-and-a-half years working on a design guide with stakeholder groups in the Gorge. The guide will allow projects to move quickly and smoothly through the Columbia River Gorge and Interstate 84 counties' permitting process. Mr. Lauer noted there will be a new look in the Gorge area.

The Commission commented the OTIA III State Bridge Delivery Program's monthly progress report was easy to use and a great way to get information out about the program. The Commission would like to receive a copy every quarter.



Troy Costales requested Commission approval of the 2006 – 2007 Oregon Public Transit Business Plan and authorization for the Public Transit Division Administrator to sign all necessary agreements to carry out projects in the transit program for the remainder of the biennium. (*Background material in General Files, Salem.*)

The Business Plan satisfies a director and Commission request to identify revenue and projects underway in the division. It summarizes the statewide vision for public transportation, the role of the division, and outlines how public transportation is delivered, funded, and who delivers the services. The five program areas established in the division are explained with reference to performance measures that have already been approved. It was noted the report brings together the wide array of responsibilities of the division in one place.

Every financial resource controlled by the division (federal and state) is reported. Each contract, agreement or work item underway as of August 2006 is also listed by the specific funding source. Finally, the calendar of events and decision milestones to bring together the 2007 – 2009 public transit program is outlined, including the expected delivery of the next plan by March or April 2007. The Public Transit Advisory Committee reviewed and endorsed the plan in September 2006.

Other key comments by Mr. Costales:

- On October 12, he will attend the final day of the Statewide Transit Conference in Seaside, at which attendees will receive a copy of the business overview for the first time.
- Within the document, a timeline of next biennium's program is provided.
- Discretionary grant application packets will also be handed out at the Seaside conference, which is six months before they have been distributed in the past.
- A conclusion meeting with the Public Transit Advisory Committee will be held in March 2007, to decide how \$28 million in discretionary transit money will be distributed. (\$28 million in discretionary funds will be up for competition, which has not been done before.)
- The Public Transit Advisory Committee, the OTC, and the Public Transit Division, at some point in time, need to begin the conversation about what policy items need to be addressed in the transit arena.

Commission comments and direction included:

- Need to fill the Public Transit Administrator vacancy.
- Need a full accounting of budget limitations, revenues, expenditures and future obligations, so Commission members can see how much flexibility there is.
- Need to deal with the policy issues surrounding the paratransit topic.
- Referring to the 2005 – 2007 Public Transit Division Budget by Program pie chart on page 9 of the plan, the budget resources and revenues don't align with the Division's mission, needs, and cost effectiveness matrix. The plan will help foster important conversations with the legislature and the public transit community to better understand the misalignment.
- The need remains for conversations with the legislature and congressional delegation regarding crucial, strategic decisions about the division's role in advancing the state's vision for public transportation. As a Commission, it can do some things about addressing the issue, but with all the strings attached, it is restricted in its ability to move the agenda forward.
- Suggested adding text in the plan to provoke conversations about the Division's vision that covers:

1. How much money does the Department of Human Services spend on public transportation compared to ODOT, and what public transportation services does it provide?
2. How much money do school districts spend on bus transportation and what kinds of fleet and services are they providing?

Commissioner Wilson moved to approve the 2006 – 2007 Oregon Public Transit Business Plan and authorization for the Public Transit Division Administrator to sign all necessary agreements to carry out projects in the transit program for the remainder of the biennium. The motion passed unanimously.

The Commission thanked Mr. Costales and his staff for their outstanding work on the business plan.



Craig Greenleaf and Julie Rodwell reported on the initiation of a Statewide Freight Master Plan to be produced between 2006 and 2008. (*Background material and PowerPoint presentation in General Files, Salem.*)

The Freight Master Plan will focus on the challenges and needs of all modes of freight transportation in the state – highway, rail, marine, air and pipeline. Freight volumes have been growing rapidly, and most projections show this continuing. The freight industry and government representatives will help guide the plan, and it has been discussed with the Oregon Freight Advisory Committee. The master plan's purpose and approach were outlined, and included the following key topics: freight industry problems; what the agency wants to accomplish; the way in which the work is approached; data and analysis; analysis and strategies; planning effort outcomes; major drivers; and challenges.

Key Commission comments and direction included:

- The analysis process across all modes is critically important.
- There were concerns about the study design approach. A long-range plan for facilities and investment is not what is needed. Rather, the study design should be an objective analysis that prioritizes investments across all modes; across capital investments.
- Need to develop a set of investment criteria.
- Need to re-evaluate the study and methodology, get peer review of the study design.
- Developing investment prioritization criteria is a key issue.
- Intermodal analysis is the big hole. There are not many tools on how to make a single investment that connects several modes. More work is needed with research using economic analysis. Consider using new analytical tools from network theory to identify strategic investments.

- Must include spatial (urban and rural, metro areas, ports) and temporal variability (variation by night and day moves) in the framework.
- Wants to see a work plan – a prioritization of investments – that includes an interdisciplinary team of experts.

Discussion focused briefly on an ODOT report titled *Freight Moves the Oregon Economy* and its reference to state freight policy, applying performance measures, and identifying obstacles and barriers. Additional Commission comments were noted:

- Work needs to be crisp and timely.
- With freight movements doubling, we need to know where we should be making investments. Concerned about wasting time on planning while emergencies grow.
- Don't reinvent lists. The Oregon Freight Advisory Committee has set some priorities. \$5 billion in needs are already known (previous OFAC freight list), plus *ConnectOregon* projects that weren't funded.
- The Commission is interested in seeing a fast-track strategic plan, not a master plan.

In conclusion, the Commission requested staff work through Commissioner Papé to refine and bring a full work program back to the Commission.



Craig Greenleaf requested Commission approval to revise the Immediate Opportunity Fund (IOF) Policy Guidelines. (*Background material in General Files, Salem.*)

The Oregon Economic and Community Development Department (OECDD), the Governor's Office, and the Oregon Department of Transportation proposed changes to the IOF policy guidelines document. The changes would (1) create a new project category (Type C) of road improvements for Oregon-Certified, Project-Ready Industrial Sites, (2) address the process to follow when business conditions have unexpectedly changed, (3) replace Quality Development Objectives with the Governor's Oregon Principles, and (4) make minor edits.

The Commission thought that an excellent job had been done in rewriting the policy guidelines; however, it also thought that it was important for OECDD to establish criteria to identify and prioritize shovel-ready sites for Type C IOF projects.

Ann Hanus, OECDD Transportation Infrastructure Manager, noted the OTC raised important points about criteria and project priorities. Bev Thacker, OECDD Industrial Lands Specialist, outlined the steps it takes when working on Type "C" projects. It was mutually agreed that for future Type C IOF project requests, OECDD would outline in each request how the project meets its marketing criteria.

The Commission also advised that when it considers future IOF grant requests, whether it is Type A, B, or C, that sufficient conditions are in place to guarantee the project will



be built and IOF grant funds expended in a manner consistent with what is anticipated. The Commission requested OECDD do an initial run through the OTC before it appears on a formal meeting agenda, to assure its agreement with OECDD's prioritization, identification criteria, and conditions.

Additional Commission comments:

- A report focused on a global view of the sites OECDD is looking at, not a site-by-site report, would be helpful.
- The Commission would also like to know how OECDD prioritizes IOF projects, to better understand how a particular project gets to the top of the list.

Commissioner Wilson moved to approve the revisions to the Immediate Opportunity Fund Policy Guidelines. The motion passed unanimously.



Jeff Scheick requested approval of a Type A, Immediate Opportunity Fund (IOF) grant in the amount of \$1 million to assist with the construction of a roadway improvement in Albany. This grant will allow a beverage manufacturer to locate a major manufacturing, bottling, and distribution center in Albany. The new roadway and related infrastructure improvements are estimated to cost \$9,375,000. (*Background material in General Files, Salem.*)

The City of Albany needs assistance to extend 53<sup>rd</sup> Street from its present intersection with OR 99E to Ellingson Road, including a new grade-separated structure to cross the railroad; modify and expand a traffic signal at 99E at 53<sup>rd</sup> Street; and make other related improvements as necessary. The beverage company plans to invest \$250 million in a 900,000 square-foot facility and create 275 to 350 high-wage, primary jobs with excellent employee benefits. OECDD reports the proposed wages exceed Linn County average wages.

The \$1 million IOF grant money is to be used for building a bridge that will cross the two existing railroads that run parallel with 99E. The railroad is heavily used, and with the amount of trucks that would be crossing the facility, from a safety aspect, this bridge will do a lot for their long-term operations, as well as for safety. The company is looking to open its doors in April 2008, and the bridge that the city is committing to build is to be completed by September 2009. Additional conditions have been placed on the IOF grant, spelling out how to make sure the short-term mitigations are covered while the bridge is completed.

Key Commission statements:

- It is absolutely critical that prior to moving ahead, a binding agreement with the City of Albany is needed, assuring the railroad overcrossing will be built.

- In light of the developments in this area, and concerns about maintaining the functionality of the I-5/Highway 34 Interchange, the transportation impact analysis is important.
- Region staff needs to have a conversation with the Mid-Willamette Valley ACT about the importance of building out the supporting local street network, so local traffic can stay off I-5 and Highway 34 to the maximum extent possible.

Commissioner Achterman moved to approve the Type A IOF grant for \$1 million to assist with the construction of roadway improvements to allow PepsiCo to locate a regional facility in Albany, on the condition that the funds be spent to construct the overcrossing (not study it) and a clear commitment and binding contract from the City of Albany that the railroad overcrossing will be built. The motion passed unanimously.



Monte Grove requested Commission consideration to approve an increase in project authorization of \$1,736,908, or 9.07%, on the Tollgate Section construction project, Contract No. C13025, on the Westin-Elgin Highway, OR 204, in Umatilla County. *(Background material in General Files, Salem.)*

The increase is needed for unanticipated conditions on the project including emergency road repair, unanticipated fuel and asphalt escalation, extreme overrun of subgrade stabilization, and additional time/overhead.

Commissioner Nelson moved to approve the above request. The motion passed unanimously.



Doug Tindall requested Commission approval to amend the 2006 – 2009 Statewide Transportation Improvement Program (STIP) to purchase one parcel of property, under single ownership, as a protective right-of-way purchase for future project(s) at the south end of the Bend Parkway (US 97). Funding would be provided by advancing the Statewide Protective Right-of-Way purchase pool of funds from 2008 to 2007. If approved, a balance of \$50,000 would remain in the Statewide Protective Right-of-Way purchase pool of funds. *(Background material in General Files, Salem.)*

Commissioner Papé moved to approve the above amendment. The motion passed unanimously.



The Commission approved the next two meeting dates as:

- Wednesday, November 15, 2006, in Salem.
- Tuesday, December 12, 2006, in Salem. (A telephone conference is planned.)

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The Commission considered approval of the following Consent Calendar items:  
(Background material in General Files, Salem.)

1. Minutes of the September 19 and 20, 2006, Commission meeting in Portland.
2. Resolution for authority to acquire real property by purchase, condemnation, agreement or donation.
3. Oregon Administrative Rule (OAR) actions:

a.	Amendment of OAR 734-075-0045, 734-076-0135, 734-078-0030, 734-082-0005 and 734-082-0037 relating to weight tables and warning flags.
b.	Adoption of OAR 735-070-0200 relating to reinstatement of a commercial driver license after 10-year disqualification.

4. Submittal of a proclamation to the Governor for his signature designating December 2006 as "Drinking and Drugged Driving Awareness Month" in Oregon.
5. Submittal of a request to the Governor that ODOT Public Transit Division be designated as the direct recipient and administrator of two new Federal Transit Administration fund programs for urbanized areas with populations less than 200,000 and Other-Than-Urbanized (rural) areas: Job Access/Reverse Commute and the New Freedom Program.
6. Establishment of a 35-mile-per-hour speed zone on the Lexington-Echo Highway, Milepoint 36.16 – Milepoint 36.25 within the City of Echo.
7. Amendment to the 2006 – 2009 STIP to advance the Oregon 207/74: Court Street (Heppner) Improvements project. The project is currently identified in the draft 2008 – 2011 STIP. The total estimated cost is \$2,510,000.

Commissioner Achterman moved to approve the above consent calendar items. The motion passed unanimously.

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Chair Foster adjourned the formal monthly meeting at 12:20 p.m. The annual workshop began at 1:35 p.m.

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### #1 – Budget / Funding Allocation

To better prepare the Commission for its October 2007 discussion on the STIP and budget levels, Doug Tindall and Michael Marsh presented the policy guidance currently in place around allocation of dollars. The intent is to establish a shared understanding

of the overall context of the discussion that occurs each odd-numbered year. The discussion will form the foundation for OTC direction to staff on its expectations for the October 2007 discussion. As the OTC considers direction at and subsequent to this workshop, staff will tailor the upcoming discussions to focus on the areas of greatest importance to the OTC. (*Background material and PowerPoint presentation in General Files, Salem.*)

The Commission provided the following directional comments:

- Would like to revisit the pavement condition target levels, and that needs to be part of the critical needs analysis.
- Should have a key strategic analysis piece on the agenda to move the OTP conversation around operating the system as a total system.
- Would like to see all revenue sources for all modes in a bubble chart format – this could be a very important tool to have moving forward in conversations with the legislature and congressional delegation. Not having a standardized system of integrated, cross-jurisdictional information cripples us from a policy standpoint. Integrate what the cities and counties have; do some selected studies; and as progress is made, operate incrementally, rather than holding everything up until we have a perfect solution.
- As staff moves forward, think about this as a communications tool to educate not just the OTC, but our “funders” as well.
- As the budget discussions unfold, it would be helpful to know what the implications are, so the OTC has a better understanding of what the impacts will be and what the options are. (For example, if DMV waiting time is changed from 15 minutes to 5, what are the costs/lost services? If we drop the pavement conditions down 5%, what’s the cost and does that mean there will be pot holes everywhere?)
- Break up the budget discussions into digestible parts. Would rather do this incrementally and in workshop sessions, rather than during a regular meeting.

## **#2 – Oregon Transportation Plan – What’s Next**

Craig Greenleaf, Troy Costales, and Kelly Taylor provided information to the Commission to help develop a sense of priority in the Oregon Transportation Plan implementation process and development of long-range plans. It is anticipated that over the course of the next year, the Commission will provide additional direction on plan implementation. The Commission adopted the OTP at its September 20, 2006 meeting. An Implementation Plan that will outline affected programs and policies, define specific implementation actions, and clarify roles and responsibilities will be brought back to the Commission at a future date. (*Background material in General Files, Salem.*)

One of the next steps identified in the OTP is the refinement of goals, policies and strategies through the update and development of the multimodal, modal and topic

plans. Troy Costales briefed the Commission on the status of the Transportation Safety and Transit Plans, and outlined what action was needed to align them with the recently adopted Oregon Transportation Plan. Kelly Taylor provided information about the Rail Plan, including her assessment about what action was needed.

The Commission provided tremendous input to staff and provided the following overall direction:

- Urged all staff, not just the planning staff, to think about not only how white papers were used in the OTP process, but how the white papers were used in the tolling discussion so that we can develop a more nimble program-delivery-oriented planning model and not abandon the modal plan updates. They need to be done, but done in a more streamlined, less time-consuming way.
- Would like to know critical issues for every piece of the business – what does it mean in terms of the short-, medium-, and long-term decisions needed?
- The mode plan model is outdated. Need modal plans that identify key strategic directions and cross all modes.
- The Oregon Highway Plan model is a good one to emulate. A lot of time was put into doing it in the first place, and it is re-evaluated regularly. Groups are put together to address specific issues that need to be addressed and critical to deal with today's problems.
- With regard to the OTP, look at the modal plans, look at where basic information about the system is needed – so we can have a systems assessment across all modes. Look at what the critical issues are, and then possibly end up doing a mix of updating on a prioritized basis.
- The update process should be more streamlined and targeted. More specifically, revise the way we do modal plans so it looks more like what has been done over the past few years on the Highway and Safety Action Plans. Streamline that system, identify the cross-cutting issues; match issue groups to the modal groups; and do not assume that by updating the modal plans we get at the total system picture needed.
- Rather than a mega-planning exercise, the Commission wants to see a robust, living plan document for each mode that keeps track of where we are, identifies critical issues related to that mode, and updates them on a regular basis. Then, make sure the cross-cutting issues get addressed so it can see how all the pieces fit together.
- In addition, the department has to be more nimble on its feet, it needs a long-term, 20-year goal, it's got to be across all modes, and it's got to be inter-connected.

Director Garrett alerted executive staff members that the Commission's input necessitated a department conversation. He asked for staff's collective wisdom to help inform this discussion as it is brought back to the Commission to assure the department is tracking on both near-term tactics and strategies as well as long-term visionary opportunities.

The workshop was recessed at 5 p.m.

**Wednesday, October 11, 2006**

The workshop reconvened at 9:05 a.m.

### **#3 – 2007 Legislative Issues / Critical Needs**

Robin Freeman, ODOT Government Relations Manager, provided an overview focusing on the issues likely to take center stage during the next legislative session. Included in her presentation was information about the make-up of the 2007 Legislature and some of the issues that may come forward that would impact the department. *(Background material in General Files, Salem.)*

The 2007 Oregon Legislature will convene on January 8, 2007. The department will file about 25 bills for consideration by the legislative assembly. The department generally keeps track of about 700 bills during the course of a session. Ms. Freeman also advised that the Public Commission of the Oregon Legislature, co-chaired by Judge Laura Pryor and Gary Wilhelms, has worked diligently during the interim. Its 30 members come from various sectors: university, legal community, local government, the legislature, law enforcement, and the public. The committee is looking at the Oregon Legislature – its structure, functionality, and operational issues; as well as session structure, office staffing/nepotism, the Oregon Channel, wireless access, wing renovation, comprehensive facilities plan, building security, funding of the Government Standards and Practices Commission, and campaign finance.

Ms. Freeman talked about what might be expected from the session structure topic. There is no draft language yet, but annual sessions are anticipated beginning in 2007 (although annual sessions would require a vote of the people). Floor sessions will begin April 1 and adjournment no later than July 30, 2007. Odd numbered years would turn into budget only and significant legislation topics, limited to 60 days.

The Association of Oregon Counties will bring forward the Special County Allotment Program, and legislation regarding people who move into the state to obtain driver licenses and vehicle registration within 30 days of establishing residency. The League of Oregon Cities will be advocating for several items that relate to funding. If LOC's legislative package goes through, the Commission suggested promoting discussion on supporting photo radar, and the need to take a strategic tact to get ODOT photo radar authority.

Ms. Freeman briefed the Commission on other issues coming forward that might impact the department: Driver-only cards (connected to the Federal Real ID Act); Memorial Signs and Naming of Facilities; Studded Tires; Speed Limit Changes (increases in rural

areas); and DMV Driver Programs (Medical-At-Risk, Habitual Offender, Driver Improvement, Finger-printing/anti-theft legislation).

Four ballot measures were briefly explained: Measure 39 revises the condemnation process; Measure 41 changes Oregon's personal income tax law to allow for more favorable treatment of personal exemptions; Measure 45 is a significant measure involving state legislator term limits; and Measure 48 creates a limit on total state spending.

In closing, Ms. Freeman commented that she anticipated OTC members will continue their practice of meeting with their respective legislators and leadership while in Salem. In addition, the OTC Chair and other members are scheduled to meet with key committees (transportation, ways and means, and revenue), which have been highly effective for the department. ODOT is well-positioned for the next session. Department staff has worked diligently in meeting with legislators, worked with their constituents, listened to their local business people, and provided extensive testimony during the interim on topics important to them and the department. Our message is coming back to us, which is a great success indicator.



Matthew Garrett and Joan Plank led the next topic which was a discussion about the ODOT effort to develop a menu of transportation investment options to fund critical transportation needs. (*Background and handout material in General Files, Salem.*)

In March 2006, Director Garrett convened transportation professionals from aviation, highways, marine, public transportation and rail to engage in discussion about critical transportation needs. The purpose was to help identify outcomes and current investments and to identify and evaluate critical new investments in Oregon's multimodal transportation system. The discussion was built on the policy framework contained in the recently adopted Oregon Transportation Plan. The objective was to develop a menu of desirable transportation investment options that could be supported by business leaders and the public, but was not to discuss financing options. The work was completed in August and resulted in a compilation of the discussions held.

Director Garrett provided an overview of the executive summary, articulating possible investments and investment details. Four general areas of investment were outlined: maintenance and preservation, operational efficiency, safety and increased capacity.

Director Garrett advised the focus of this effort becomes the foundation for the information carried forward to the January 4, 2007 Oregon Business Summit and to the Oregon State Legislature. Director Garrett asked OTC members to review the draft summary, let him know if anything was missed, or if something needs to be changed.

Commission comments:

- The discussion now in play should be whether or not to expand the Oregon Business Plan to suggest funding solutions. The preference being not to include the funding, but rather, continue to lay out argument of the issues. Time is getting short to have funding option discussions.
- The idea is to move forward with the needs-based discussion at the Oregon Business Summit meeting in January, and be prepared to come in early in the legislative session to put forward the funding.
- Executive Summary document is good, but it raised concern among the Commission members about how to start communicating about operational efficiencies, and the need to figure out how to implement that part. We need to have a strategy before asking for dollars.
- The summary document is out of whack with the ITS projects. Need to figure out how to address the misalignment.
- In the Investment Opportunity list, need to come up with something flashier, something that gets at the operations in a cross-modal way. Maybe do an operations/innovations challenge grants fund where we would stimulate peoples' creativity and run the kind of competition similar to the *ConnectOregon* program. Run it around operational efficiencies and devise a plan to start communicating about operational efficiencies. Get the business community and others behind it.
- We are short on our ability to meet operational funding needs, need to stimulate a different kind of conversation to get needed funding.
- As we work on the communication piece, it needs to get out quickly to the ACTs, LOC, and AOC. The ACTs are very supportive, they understand the message on modernization decline, and they are engaging in conversations with the appropriate legislative leaders.

#### #4 – The Big Look

Mike Thorne, Chair of the Oregon Task Force on Land Use Planning provided a report about the progress of the Big Look project, outlined next steps in the process and responded to questions. Becky Steckler, Department of Land Conservation and Development, accompanied Mr. Thorne. (*Background material in General Files, Salem.*)

The State of Oregon Big Look project is currently being completed by the Oregon Task Force on Land Use Planning. Created by Senate Bill 82 in 2005, this task force is charged with conducting a comprehensive review of the Oregon Statewide Planning Program and making recommendations to the 2009 Legislature on three key areas for any needed changes to land use policy.

1. Oregon's land use planning program in meeting the current and future needs of Oregonians in all parts of the state;



2. Respective roles and responsibilities of state and local governments in land use planning; and
3. Land use issues specific to areas inside and outside urban growth boundaries and the interface between areas inside and outside urban growth boundaries.

Mr. Thorne provided additional background about land use planning and the newly formed task force, including the development of a work plan with six fundamental issues:

1. What are the appropriate roles of state and local governments in land use in Oregon?
2. What is the appropriate role of citizen involvement in land use?
3. What role should land use planning play in enhancing Oregon's economy now and in the future?
4. What are the most effective tools to manage population growth to achieve community goals?
5. How should Oregon's system of infrastructure, finance, and governance influence land use?
6. How can the land use process appropriately address the benefits and burdens that fall on individual land owners and the general public?

Discussion between Mr. Thorne and the Commission followed about how certain land use decisions impact transportation. The Commission desires to engage in a continuing constructive way with the task force, and indicated Craig Greenleaf's June 2006 letter hits on several key issues.

The Commission focused on transportation infrastructure, and the following statements were captured for the record. It defines the shape of communities. Looking at Goal 11 on Public Facilities, and at Goal 12 on Transportation, that is not where the action is. And yet, it's that public investment and infrastructure that is driving community growth because the developers don't want to pay for the roads and the water. Agreeing with the notion that infrastructure is the skeleton that communities are built on, and thinking about the question raised about state role vs. local role, one of the things we have never come to grips with over the years is the land use planning system impact on facilities of statewide significance. Instead, we have gone hard over to state agency coordination or state agency consistency. We then get into situations where local citizens vote against improving a particular highway when everyone else served by that highway wants to see improvement. If we are really going to look to the future, identifying the facilities of statewide significance is needed – whether it's the Portland Airport, the Port of Portland or Umatilla, Interstate 84, the connection between I-84 and 26, or making Highways 97 and 20 four lanes border-to-border. And, given the transformation of aviation, we may need to be thinking about a completely different investment pattern in regional airport facilities that connect to these new major highway facilities. It doesn't matter if it is water or transportation infrastructure, if we are not thinking about the

skeleton of essential services – power, gas, transportation, water – and if we are going to let local governments preclude the facilities of statewide significance from being developed – we are set for disaster.

In closing, Director Garrett noted that as an agency we embrace the invitation to engage in the conversation and that our challenge is that we have to take on some of the issues in front of us now – because those issues are affecting our future. The Commission observed that what the task force is doing is absolutely critical to the success of the Oregon Department of Transportation, because the department and the Commission have to deal with these issues on a daily basis.

## #5 – Workshop Wrap-Up

Director Garrett summarized follow-up on the four workshop items.

1. Budget/Funding Allocation – It focuses on the period between October 2006 and October 2007, and what plays itself out during that time. How we calendar the milestones, the opportunities, where we look at the choices, the options, the restrictions, the implications – and the discretion the Commission has – will play itself out October 2007. We will embrace the OTP vision, and in that context, play out the next year to make sure the best decisions are made, as we move to October 2007. We will calendar it up, placing it in the context of this conversation, so we are always referencing back.
2. OTP/What's Next – Bottom line, we have vehicles in the modal plans that can help us assess the system, that can look at the critical cross-cutting issues, and again, rub those up against the OTP.
3. Legislative Issues/Critical Needs – We will continue to refine the menu and the message, and continue to partner with our folks as we move toward the 2007 legislative session.
4. The Big Look – We will accept the invitation to engage with Mr. Thorne and his colleagues, and we will aggressively engage in the conversation; because there are issues that aren't working with the rules of the games that we have. We should help shape what comes at us rather than continue to react.



Chair Foster adjourned the workshop at 12:00 p.m.



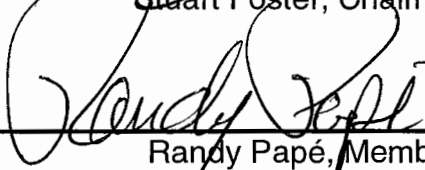
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Stuart Foster, Chairman



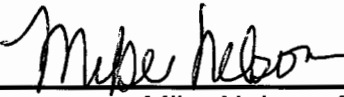
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Gail Achterman, Member



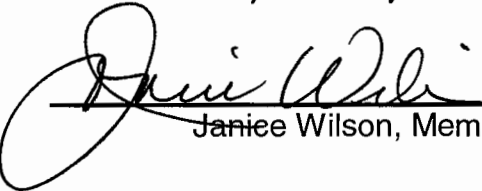
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Randy Papé, Member



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Mike Nelson, Member



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Janice Wilson, Member



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Karen Elliott, Commission Support